

REMARKS

This Supplemental Amendment is being submitted in further response to the Office Action mailed in the application on December 17, 2004. Claims 1-21, 27, 31, 36-39 and 42-57, including withdrawn claims 13-20, are pending. Claims 1-12 and 21 have been allowed. Claims 44, 45, 46 and 49 have been amended by this supplemental amendment.

Amended claim 44 recites an image pickup apparatus including a display part, body with first operation face having a first operation member, and moving member for moving the display part to a first position and to a second position, wherein the moving member includes a first moving member which enables the display part to rotate around a first shaft so that the display part moves toward an upper side of the first operation face, and a second moving member which enables the display part to rotate around a second shaft substantially perpendicular to the first shaft. Claim 44 has been amended to recite that when the display part is in the second position, in which the display part is stowed in the image pickup apparatus body, a major-side direction of the display part substantially coincides with a major-side direction of the body, and when the display part is in the first position, in which the display part makes the picked-up image viewable, a minor-side direction of the display part substantially coincides with a major-side direction of the body.

Similarly, amended claim 45 recites an image pickup apparatus including a display part, body with first face, and moving member for moving the display part to a first position and to a second position, wherein the moving member includes a first moving member which enables the display part to rotate around a first shaft so that the display part moves toward an upper side in the image pickup apparatus, and a second moving member which enables the display part to rotate around a second shaft substantially perpendicular to the first shaft. Claim 45 has been

amended to recite that when the display part is in the second position, a major-side direction of the display part substantially coincides with a major-side direction of the body, and when the display part is in the first position, a minor-side direction of the display part substantially coincides with a major-side direction of the body. The construction of the apparatus claimed in amended claims 44 and 45 is shown in applicants' FIGS. 5 and 6. Claims 46 and 49 have been similarly amended.

Applicants submit that the constructions recited in amended claims 44, 45, 46 and 49 are not taught or suggested by the cited art of record. According to the Examiner, the Kamamoto patent discloses an image pickup apparatus with a moving member for moving the display part to a first position in which the first operation face of the body is covered by the display part and a second position in which the first operation face is not covered by the display part and is exposed outside (e.g., opening/closing device element 12 of Fig. 2 is the moving member wherein the display part can be moved as shown in Figs. 2-5), wherein said moving member includes a first moving member and a second moving member, said first moving member (e.g., element 31 of Fig. 11) enables said display part to rotate around a first shaft so that said display part moves toward an upper side in said first operation face (e.g., the first shaft is elements 29 and 30 of Fig. 6 and 11; see Figs. 2-5 wherein as shown in Fig. 5 wherein said display part is move toward an upper side face in said first operation face, namely rotated upward), and wherein when said display part is in the first position, a major-side direction of said display part substantially coincides with a major-side direction of said body, and when said display part is in the second position a minor-side direction of said display part substantially coincides with a major-side direction of said body (e.g., FIGS. 2-5).

Applicants disagree with the Examiner's above interpretation of Kamamoto, et al. In the first place, while the element 31 in Kamamoto, et al. allows the display part 12 to be rotated, it is not a rotation "so that said display part moves toward an upper side in said first operation face," as the Examiner has argued. Rather the rotation allowed by the element 31 causes a rotation of the display so that the display part body remains at the same spacing from the face of the side face of the camera body 2. There is no movement toward the face, let alone the upper side of the face.

Moreover, when the display part 12 is in the position that it is viewable, the minor side direction of the display part 12 does not substantially coincide with the major side direction of the camera body. While the display part 12 appears able to rotate so that it is faces upward, this is not believed to be a position in which the camera user when using the camera is able to view the the display. Thus, there is no position in which the display part is viewable and a minor-side direction of the display part substantially coincides with a major-side direction of the body.

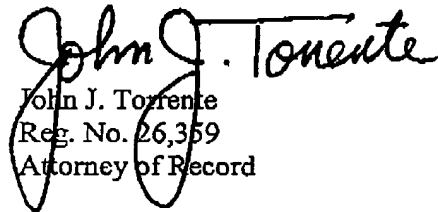
Applicants' claims 44, 45, 46 and 49, and their respective dependent claims, in reciting a moving member for moving said display part to a first position in which said display part makes the picked-up image viewable, or in which said display part causes the picked-up image to view, and a second position in which said display part is stowed in the image pickup apparatus body, and wherein the movable member includes a first moving member which enables the display part to rotate around a first shaft so that the display part moves toward an upper side in the operation face of the image pickup apparatus, and wherein when the display part is in the first position, a minor-side direction of said display part substantially coincides with a major-side direction of said body, patentably distinguish over Kamamoto, et al.

If the Examiner believes that an interview would expedite consideration of this Supplemental Amendment or of the application, a request is made that the Examiner telephone applicant's counsel at (212) 790-9278.

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Respectfully submitted,

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